



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/511,421

Confirmation No.: 4654

Applicant: Joseph Paternoster

Group Art Unit: 3739

Filing Date: October 14, 2004

Examiner: ROANE, AARON F.

Docket No.: 298.41

**RESPONSE TO OFFICE ACTION
DATED JUNE 20, 2007**

Customer No.: 08586

USE OF THERMOREGULATORY
For: MATERIAL TO IMPROVE EXERCISE
PERFORMANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date July 16, 2007

By: *Christy Hoffman*

Christy Hoffman

Dear Sir:

Applicant submits this amendment in response to an Office Action dated June 20, 2007. Since this response is being mailed before the one (1) month due date, applicant does not believe that a fee is due. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-0822. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the remarks presented herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.